

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TRENT C. BRYANT,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
CHEVRON U.S.A. INC. et al.,	§	CIVIL ACTION NO. G-06-125
	§	
Defendants,	§	
	§	
v.	§	
	§	
HYDRAULIC WELL CONTROL LLC,	§	
	§	
Third-Party Defendant.	§	

**ORDER CARRYING THROUGH THIRD-PARTY DEFENDANT HYDRAULIC WELL
CONTROL LLC'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Trent C. Bryant ("Plaintiff") brings this action against Defendants for injuries he allegedly suffered while he was being transferred via a personnel basket from the M/V MISS BETH to the L/B KINGFISH. Defendants Hercules Offshore, Inc., individually and as successor to Hercules Offshore, LLC, and Hercules Drilling Company, LLC, as successor to Hercules Drilling, LLC (collectively "Hercules"), filed a Third-Party Complaint against Hydraulic Well Control LLC ("Hydraulic") on September 7, 2006, after the Scheduling Conference that set trial in this case for December 11, 2006 had already taken place. Hydraulic filed a timely Answer, and it filed a Motion for Summary Judgment on November 16, 2006. Hercules's Response is due on December 6, 2006, which is less than a week before the trial.


While it is likely that Hydraulic filed its Motion for Summary Judgment in as timely a manner

as possible given the date on which it became a Third-Party Defendant in this action, the Court, due to the fact-specific nature of this Motion and the proximity of trial, is unable to reach a decision on the issues raised in the Motion for Summary Judgment before trial. The Court notes that the issue posed presents an interesting question of law and is looking forward to hearing arguments from both the Third-Party Plaintiffs and the Third-Party Defendants at trial.

Because the Motion for Summary Judgment was filed on the eve of trial and a decision on the issue raised in the Motion is best left for trial, Hydraulic's Motion for Summary Judgment is hereby **CARRIED THROUGH TRIAL.**

IT IS SO ORDERED.

DONE this 5th day of December, 2006, at Galveston, Texas.



Samuel B. Kent
United States District Judge